



PATENT

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Decision and Certificate of Correction Branch of the Patent Issue Division, P.O. Box 1450, Alexandria, VA 22313-1450 on

Janet A. Walker
Janet A. Walker

January 27 2006

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Achilefu et al.
Patent No.: 6,939,532 *B2*
Issue Date: September 6, 2005
Title: **VERSATILE HYDROPHILIC DYES**
Serial No.: 09/757,333
Filed: January 9, 2001
Group Art Unit: 1616
Confirmation No.: 5506
Examiner: Jones, Dameron L.
Atty. Doc. No.: MRD-67

Certificate
FEB 02 2006
of Correction

Cincinnati, OH

January 27 2006

Commissioner for Patents
Attn: Decision and Certificate of Correction Branch
of the Patent Issue Division
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. 1.322(a)) AND
FOR APPLICANTS' MISTAKE (37 C.F.R. 1.323)**

It is noted that errors appear in this patent of typographical nature or character, as more fully described below. This occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.

02/01/2006 BABRAHA1 00000091 233000 6939532

01 FC:1811 100.00 DA

FEB 03 2006

The exact page and line number where the errors are shown correctly in the application file are:

Cover page, column 1, item (73) Assignee, "Mallinckrodt, Inc." should be -- Mallinckrodt Inc. -- as appears on the Issue Fee transmittal.

Cover page, column 1, References Cited, U.S. Patent Documents, add -- 6,733,744, 5/04, Achilefu et al.424/9.6 -- as appears on Examiner's Notice of References Cited, part of Paper No. 08192004.

Page 2, column 2, line 1, "...Flugrescence..." should be --...Fluorescence... -- as appears on the Information Disclosure Statement.

Column 7, line 3, "...-(CH₂)₁-N..." should be --...-(CH₂)_aN... -- as appears in the specification as filed.

Column 9, line 3, "...SO₃;" should be -- ...SO₃⁻;-...-- as appears in the specification as filed.

Column 10, line 8, "...C₁C₁₀ alkyl,..." should be -- ... C₁-C₁₀ alkyl,...-- as appears in the specification as filed.

Column 11, approx. line 45, "...leads to 5 fluorescence..." should be -- ...leads to fluorescence... -- as appears in the specification as filed.

Column 12, approx. line 65, "...and R=R¹ =CO₂H" should be -- ... and R=R¹ =CO₂H) --as appears in the specification as filed.

Claim 2, column 25, line 35, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Claim 5, column 27, line 10, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Claim 15, column 28, line 7, "...to prevent in vivo or in vitro..." should be -- to inhibit in vivo or in vitro...-- as appears in applicants' amendment dated November 22, 2004.

Claim 18, column 29, line 11, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

The exact page and line number where the errors occur in the application file are:

Column 1, approx. line 30, "... (Y -L. He, et al.,..." should be --... (Y. L. He, et al., ...--

Column 1, approx. line 62, "...hetamethine cyanine dyes..." should be -- heptamethine cyanine dyes...--

Column 3, approx. line 60, "...may the same or different..." should be -- ...may be the same or different...--

Column 5, line 2, "...may the same or different..." should be -- ...may be the same or different...--

Column 6, line 19, "...may the same or different..." should be -- ...may be the same or different...--

Column 7, line 27, "...may the same or different..." should be -- ...may be the same or different...--

Column 8, approx. lines 65-66, "...prepared according the methods..." should be -- prepared according to the methods...--

Column 9, approx. line 31, "... (CH₂)_a..." should be -- ... (CH₂)_a... --

Column 10, approx. line 39, "... (CH₂)_a..." should be -- ... (CH₂)_a...--

Column 14, approx. line 26, "...on silica gel wi with hexane..." should be -- ...on silica gel with hexane...--

Column 17, approx. line 64, "...into the later tail vein of the rat." should be -- ...into the lateral tail vein of the rat.--

Claim 2, column 25, line 36, delete the comma preceding the semi-colon at the end of the line.

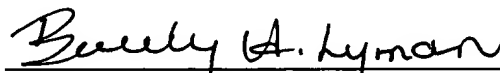
Claim 2, column 25, line 47, "... $(CH_2)_a$..." should be -- ... $(CH_2)_a$... --

Claim 18, column 29, line 23, "... $(CH_2)_a$..." should be -- ... $(CH_2)_a$...--

Please send the certificate to the undersigned. The Commissioner is authorized to charge the fee in the amount of \$100.00, as required by 37 C.F.R. 1.20(a) to Deposit Account No. 23-3000.

If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.



Beverly A. Lyman, Ph.D.
Reg. No. 41,961

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
513 241-2324
513 421-7269 facsimile

FEB 03 2006

Staple

Here
Only

Printer's
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 1 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Cover page

Column 1, item (73) Assignee, "Mallinckrodt, Inc." should be -- Mallinckrodt Inc. -- as appears on the Issue Fee transmittal.

Column 1, References Cited, U.S. Patent Documents, add --6,733,744, 5/04, Achilefu et al. ...424/9.6 -- as appears on Examiner's Notice of References Cited, part of Paper No. 08192004.

Page 2

Column 2, line 1, "...Flugrescence..." should be --...Fluorescence... -- as appears on the Information Disclosure Statement.

Column 1

Approx. line 30, "... (Y -L. He, et al.,..." should be --... (Y. L. He, et al., ...--

Approx. line 62, "...hetamethine cyanine dyes..." should be -- heptamethine cyanine dyes...--

Column 3

Approx. line 60, "...may the same or different..." should be -- ...may be the same or different...--

Column 5

Line 2, "...may the same or different..." should be -- ...may be the same or different...--

Column 6

Line 19, "...may the same or different..." should be -- ...may be the same or different...--

Column 7

Line 3, "...-(CH₂)₁-N..." should be --...-(CH₂)₈N... -- as appears in the specification as filed.

Line 27, "...may the same or different..." should be -- ...may be the same or different...--

Column 8

Approx. lines 65-66, "...prepared according the methods..." should be --prepared according to the methods...--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

FEB 03 2006

Staple

Here
Only

Printer's |
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 2 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 9

Line 3, "...SO₃..." should be -- ...SO₃⁻...-- as appears in the specification as filed.

Approx. line 31, "... (CH₂)_a..." should be -- ... (CH₂)_a... --

Column 10

Line 8, "...C₁C₁₀ alkyl..." should be -- ... C₁-C₁₀ alkyl...-- as appears in the specification as filed.

Approx. line 39, "... (CH₂)_a..." should be -- ... (CH₂)_a...--

Column 11

Approx. line 45, "...leads to 5 fluorescence..." should be -- ...leads to fluorescence... -- as appears in the specification as filed.

Column 12

Approx. line 65, "...and R=R¹ =CO₂H" should be -- ... and R=R¹ =CO₂H) --as appears in the specification as filed.

Column 14

Approx. line 26, "...on silica gel wi with hexane..." should be -- ...on silica gel with hexane...--

Column 17

Approx. line 64, "...into the later tail vein of the rat." should be -- ...into the lateral tail vein of the rat.--

Claim 2

Column 25, line 35, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Column 25, line 36, delete the comma preceding the semi-colon at the end of the line.

Column 25, line 47, "... (CH₂)_a..." should be -- ... (CH₂)_a... --

MAILING ADDRESS OF SENDER:

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

FEB 10 2006

Staple

Here
Only

Printer's |
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 3 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 5

Column 27, line 10, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Claim 15

Column 28, line 7, "...to prevent in vivo or in vitro..." should be -- to inhibit in vivo or in vitro...-- as appears in applicants' amendment dated November 22, 2004.

Claim 18

Column 29, line 11, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Column 29

Line 23, "... (CH₂)_a..." should be -- ... (CH₂)_a...--

MAILING ADDRESS OF SENDER:

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

FEB 03 2006

Staple

Here
Only

Printer's
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 1 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Cover page

Column 1, item (73) Assignee, "Mallinckrodt, Inc." should be -- Mallinckrodt Inc. -- as appears on the Issue Fee transmittal.

Column 1, References Cited, U.S. Patent Documents, add --6,733,744, 5/04, Achilefu et al. ...424/9.6 -- as appears on Examiner's Notice of References Cited, part of Paper No. 08192004.

Page 2

Column 2, line 1, "...Flugrescence..." should be --...Fluorescence... -- as appears on the Information Disclosure Statement.

Column 1

Approx. line 30, "... (Y --L. He, et al.,..." should be --... (Y. L. He, et al., ...--

Approx. line 62, "...hetamethine cyanine dyes..." should be -- heptamethine cyanine dyes...--

Column 3

Approx. line 60, "...may the same or different..." should be -- ...may be the same or different...--

Column 5

Line 2, "...may the same or different..." should be -- ...may be the same or different...--

Column 6

Line 19, "...may the same or different..." should be -- ...may be the same or different...--

Column 7

Line 3, "...-(CH₂)₁-N..." should be --...-(CH₂)₈N... -- as appears in the specification as filed.

Line 27, "...may the same or different..." should be -- ...may be the same or different...--

Column 8

Approx. lines 65-66, "...prepared according the methods..." should be --prepared according to the methods...--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

FEB 03 2006

Staple

Here
Only

Printer's
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 2 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 9

Line 3, "...SO₃;" should be -- ...SO₃⁻;-- as appears in the specification as filed.

Approx. line 31, "... (CH₂)_a..." should be -- ... (CH₂)_a... --

Column 10

Line 8, "...C₁C₁₀ alkyl..." should be -- ... C₁-C₁₀ alkyl,...-- as appears in the specification as filed.

Approx. line 39, "... (CH₂)_a..." should be -- ... (CH₂)_a...--

Column 11

Approx. line 45, "...leads to 5 fluorescence..." should be -- ...leads to fluorescence... -- as appears in the specification as filed.

Column 12

Approx. line 65, "...and R=R¹ =CO₂H" should be -- ... and R=R¹ =CO₂H) --as appears in the specification as filed.

Column 14

Approx. line 26, "...on silica gel wi with hexane..." should be -- ...on silica gel with hexane...--

Column 17

Approx. line 64, "...into the later tail vein of the rat." should be -- ...into the lateral tail vein of the rat.--

Claim 2

Column 25, line 35, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Column 25, line 36, delete the comma preceding the semi-colon at the end of the line.

Column 25, line 47, "... (CH₂)_a..." should be -- ... (CH₂)_a... --

MAILING ADDRESS OF SENDER:

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

FEB 03 2006

Staple

Here
Only

Printer's
Trim
Line

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,939,532 *B2*

Page 3 of 3

DATED : September 6, 2005

INVENTOR(S) : Achilefu et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 5

Column 27, line 10, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Claim 15

Column 28, line 7, "...to prevent in vivo or in vitro..." should be -- to inhibit in vivo or in vitro...-- as appears in applicants' amendment dated November 22, 2004.

Claim 18

Column 29, line 11, "...-C((CH₂)_aOH)CH₃..." should be deleted as appears in applicants' amendment dated November 22, 2004.

Column 29

Line 23, "... (CH₂)_a..." should be -- ... (CH₂)_a...--

MAILING ADDRESS OF SENDER:

PATENT NO. 6,939,532

No. of add'l copies
@ 50¢ per page

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower, 441 Vine Street
Cincinnati, Ohio 45202
SUBSTITUTE FORM PTO76-22

FEB 10 2006